

REMARKS

Claim Rejections under 35 USC 112

Claims 18-20, 23, 24 and 26-28 have been rejected under 35 USC 112 for failing to recite structural cooperation between the brush means and the analytical apparatus and for not setting forth what structures correspond to intended functions in the Claims.

Claims 1-29 have been canceled and replaced with Claims 30-34, which are directed to the steps of the inventive methods disclosed in the current application. Rejections based on 35 USC 112 are therefore believed to be overcome.

Claim Rejections under 35 USC 103

Claims 18-20, 23, 24 and 26-28 have been rejected under 35 USC 103 as being unpatentable over a combination of Lee, Lonky, Rutenberg, Bacus and Hemstreet as the structure resulting from the combination of the above structurally meets the instant Claim language.

The Claims as amended herein are believed to be patentably distinguished from the above references. The cited references, either individually or in combination, do not teach or suggest the steps of using a brush to penetrate an uppermost surface to obtain cells, selecting cells that are highest ranked for being abnormal and determining the ploidy of the highest ranked cells.

In light of the above amendment, Applicant believes that the application is in condition for allowance.

Respectfully submitted,



Tuvia Rotberg (58,167)
LEVISOHN BERGER LLP
61 Broadway, 32nd Floor
New York, New York 10006
Phone (212) 486-7272
Fax (212) 486-0323